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COUNTY OF AMADOR

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
ROBERT T. MATSUI FEDERAL COURTHOUSE

CALIFORNIA SPORTFISHING
PROTECTION ALLIANCE,

Plaintiff,

v.

KATHLEEN ALLISON, in her official
capacity as Secretary of the California
Department of Corrections and
Rehabilitation,

Defendants.

COUNTY OF AMADOR, a public
agency of the State of California,

Plaintiff,

v.

KATHLEEN ALLISON in her official
capacity as Secretary of the California
Department of Corrections and
Rehabilitation; PATRICK COVELLO in
his official capacity of Warden of
California Department of Corrections
and Rehabilitation Mule Creek State
Prison; and CALIFORNIA
DEPARTMENT OF CORRECTIONS
AND REHABILITATION,

Defendants.

Case No. 2:20-cv-02482-WBS-AC
[Consolidated with 2:21-cv-00038-
WBS-AC]

**DECLARATION OF
CHRISTOPHER M. PISANO IN
SUPPORT OF PLAINTIFF
COUNTY OF AMADOR'S
OPPOSITION TO EX PARTE
APPLICATION**

[Filed concurrently with:

- 1. Plaintiffs' Joint Opposition to Ex Parte Application; and*
- 2. Declaration of Erica Maharg in Support of Opposition to Ex Parte Application.]*

Date: None set
Time: None set
Dept: 5
Judge: William B. Shubb

Trial Date: April 18, 2023
Action Filed: January 7, 2021

DECLARATION OF CHRISTOPHER M. PISANO

I, Christopher M. Pisano, declare:

1. I am an attorney at law licensed to practice in the State of California. I am a partner with Best Best & Krieger LLP, attorneys of record for Plaintiff County of Amador (“County”). Unless otherwise stated here, I have personal knowledge of the fact set forth herein and if called and sworn as a witness, could and would testify competently thereto.

2. On February 13, 2023, the parties attended a pretrial conference in this matter and Defendants did not indicate any need for a trial continuance to adequately prepare for trial scheduled to begin on April 18, 2023.

3. On March 29, 2023, I received a Notice of Electronic Filing from the automated CM/ECF system, which contained the Final Pretrial Order.

4. On March 29, 2023, our office assistant contacted the court clerk to inquire about the already-passed deadlines and was told the court is aware of the issue and to attempt to reach an agreement with the other parties on alternative dates for the affected deadlines.

5. On March 29, 2023, my office proposed alternative dates for the deadlines included in Paragraphs III, IX and XIV for lodging and serving the proposed findings of fact and conclusions of law and form of judgment, for filing and serving a designation and counter-designation of answers to interrogatories and portions of depositions, and for serving any objections or suggested modifications to the Final Pretrial Order, ECF 110.

6. On March 29, 2023, counsel for co-plaintiffs, California Sportfishing Protection Alliance stated agreement with the alternative dates proposed.

7. On March 29, 2023, my office contacted counsel for Defendants Jeffery Macomber, in his official capacity as Secretary of the California Department of Corrections and Rehabilitation (“CDCR”) Patrick Covello, in his official capacity as Warden of CDCR’s Mule Creek State Prison and CDCR

1 (collectively “Defendants”) to propose new pretrial deadlines pursuant to the
2 Court’s request.


3 8. At 6:11 p.m. on Friday, March 31, 2023, Counsel for defendants
4 proposed a six- to seven- week continuance as an alternative, citing infeasible
5 “newly identified tasks and additional deadlines.”

6 9. The County of Amador (“County”) would be prejudiced by moving
7 trial six to seven weeks.

8 10. I am the County’s trial counsel for this matter and I will be unavailable
9 from May 15th through the end of September should this trial be continued. I have
10 on trial scheduled to commence on May 30, 2023, and I have two trials scheduled
11 to commence in June 2023 (June 5th and June 21st). I also have a long cause trial
12 scheduled to start on July 10th. Additionally, I will be on vacation for a few days
13 starting on May 13th and a vacation scheduled in the middle to end of August. I
14 also have a trial scheduled to commence on September 19, 2023.

15 I declare under penalty of perjury under the laws of the State of California
16 that the foregoing is true and correct.

17 Executed this 4th day of April, 2023, at Los Angeles, California.

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21 Christopher M. Pisano
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